

HOUSE LABOR AND HUMAN RESOURCES COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 538

**50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

AN ACT

RELATING TO GOVERNMENT EMPLOYEE CUSTOMER SERVICE SURVEYS;  
REQUIRING A ONE-YEAR CUSTOMER SURVEY PILOT PROGRAM FOR THE  
MOTOR VEHICLE DIVISION OF THE TAXATION AND REVENUE DEPARTMENT,  
FOR THE NEW MEXICO LIVESTOCK BOARD AND FOR THE CONSTRUCTION  
INDUSTRIES DIVISION OF THE REGULATION AND LICENSING DEPARTMENT;  
PROVIDING FOR SURVEY RESULTS TO BE USED IN EMPLOYEE TRAINING  
AND DEVELOPMENT PROGRAMS; REQUIRING AN ASSESSMENT OF THE PILOT  
PROGRAM AND REPORTS TO POLICYMAKING BODIES, THE LEGISLATIVE  
FINANCE COMMITTEE AND APPROPRIATE INTERIM LEGISLATIVE  
COMMITTEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** A new section of the Construction Industries  
Licensing Act is enacted to read:

"[NEW MATERIAL] CONSTRUCTION INDUSTRIES DIVISION--CUSTOMER

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underscored material = new  
[bracketed material] = delete

1 SURVEYS--USE OF SURVEY RESULTS.--

2 A. The director shall establish a pilot program in  
3 which a person doing business with the division's employees  
4 shall be offered an opportunity to participate in a survey of  
5 the person's experience with employees of the division with  
6 whom the person has most recently had contact.

7 B. If the contact with an employee of the division  
8 is by telephone or in person, at the end of the contact the  
9 person shall be offered an opportunity, either by a live or  
10 recorded message by telephone or by a statement printed on  
11 documents resulting from the contact or on a separate printed  
12 notice, to participate in an electronic survey at the  
13 division's internet web site.

14 C. The survey shall contain questions or solicit  
15 responses that the director deems appropriate to result in a  
16 reasonable appraisal of the employee's knowledge of program  
17 matter, responsiveness and customer service related to  
18 inspections or other services provided by division inspectors  
19 and other employees. In addition, the survey shall provide a  
20 means of identifying the employee whose contact with a person  
21 is being surveyed. The results of the survey shall be  
22 contained in an appropriate computer software program designed  
23 to record results by each employee. The survey shall not  
24 record the name of the person completing the survey, and each  
25 person's participation in the survey shall be voluntary and

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underscoring material = new  
~~[bracketed material] = delete~~

1 anonymous. A survey shall be submitted in a manner that  
2 maintains the anonymity of the person completing the survey.

3 D. Other than employees of the division responsible  
4 for collecting and processing the survey forms and results, the  
5 computer software program information on division employees  
6 shall only be available to the commission and the director for  
7 employee training and development purposes. In all other  
8 cases, the survey results, no matter where maintained, are  
9 confidential and not subject to the Inspection of Public  
10 Records Act.

11 E. The pilot program shall be conducted for the  
12 period from January 1, 2012 to December 31, 2012. At the  
13 conclusion of this period, the director shall assess the  
14 program, determining whether it provided meaningful review of  
15 employees' knowledge of program matter, responsiveness and  
16 customer service to the public and whether employees were  
17 receptive to performance-improving recommendations and employee  
18 development and training programs offered in response to survey  
19 results. Based on the assessment, the director shall make a  
20 recommendation about whether the pilot program should continue  
21 for an additional period of time, should be made permanent or  
22 should be canceled. The director shall report the results of  
23 the assessment and the recommendation to the commission, the  
24 legislative finance committee and an appropriate interim  
25 committee of the legislature no later than September 1, 2013."

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1           SECTION 2. A new section of the Motor Vehicle Code is  
2 enacted to read:

3           "[NEW MATERIAL] MOTOR VEHICLE DIVISION--CUSTOMER SURVEYS--  
4 USE OF SURVEY RESULTS.--

5           A. The secretary shall establish a pilot program in  
6 which a person doing business with the division shall be  
7 offered an opportunity to participate in a survey of the  
8 customers' experience with employees of the division with whom  
9 the person has most recently had contact.

10          B. If the contact with an employee of the division  
11 is by telephone or in person, at the end of the contact the  
12 person shall be offered an opportunity, either by a live or  
13 recorded message by telephone or by a statement printed on  
14 documents resulting from the contact or on a separate printed  
15 notice, to participate in an electronic survey at the  
16 division's internet web site.

17          C. The survey shall contain questions or solicit  
18 responses that the secretary deems appropriate to result in a  
19 reasonable appraisal of the employee's knowledge of program  
20 matter, responsiveness and customer service. In addition, the  
21 survey shall provide a means of identifying the employee whose  
22 contact with a person is being surveyed. The results of the  
23 survey shall be contained in an appropriate computer software  
24 program designed to record results by each employee. The  
25 survey shall not record the name of the person completing the

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1 survey, and each person's participation in the survey shall be  
2 voluntary and anonymous. A survey shall be submitted in a  
3 manner that maintains the anonymity of the person completing  
4 the survey.

5 D. Other than employees of the division responsible  
6 for collecting and processing the survey forms and results, the  
7 computer software program information on division employees  
8 shall only be available to the secretary and the director for  
9 employee training and development purposes. In all other  
10 cases, the survey results, no matter where maintained, are  
11 confidential and not subject to the Inspection of Public  
12 Records Act.

13 E. The pilot program shall be conducted for the  
14 period January 1, 2012 to December 31, 2012. At the conclusion  
15 of this period, the secretary shall assess the program,  
16 determining whether it provided meaningful review of employees'  
17 knowledge of program matter, responsiveness and customer  
18 service to the public and whether employees were receptive to  
19 performance-improving recommendations and employee development  
20 and training programs offered in response to survey results.  
21 Based on the assessment, the secretary shall make a  
22 recommendation about whether the pilot program should continue  
23 for an additional period of time, should be made permanent or  
24 should be canceled. The secretary shall report the results of  
25 the assessment and the recommendation to the legislative

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1 finance committee and to an appropriate interim committee of  
2 the legislature no later than September 1, 2013."

3 SECTION 3. A new section of The Livestock Code is enacted  
4 to read:

5 "[NEW MATERIAL] NEW MEXICO LIVESTOCK BOARD--CUSTOMER  
6 SURVEYS--USE OF SURVEY RESULTS.--

7 A. The director shall establish a pilot program in  
8 which a person doing business with the board's employees shall  
9 be offered an opportunity to participate in a survey of the  
10 person's experience with employees of the board with whom the  
11 person has most recently had contact.

12 B. If the contact with an employee of the board is  
13 by telephone or in person, at the end of the contact the person  
14 shall be offered an opportunity, either by a live or recorded  
15 message by telephone or by a statement printed on documents  
16 resulting from the contact or on a separate printed notice, to  
17 participate in an electronic survey at the board's internet web  
18 site.

19 C. The survey shall contain questions or solicit  
20 responses that the director deems appropriate to result in a  
21 reasonable appraisal of the employee's knowledge of program  
22 matter, responsiveness and customer service, including an  
23 evaluation of the response time to requests for inspections or  
24 other services provided by inspectors and board veterinarians.  
25 In addition, the survey shall provide a means of identifying

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1 the employee whose contact with a person is being surveyed.  
2 The results of the survey shall be contained in an appropriate  
3 computer software program designed to record results by each  
4 employee. The survey shall not record the name of the person  
5 completing the survey, and each person's participation in the  
6 survey shall be voluntary and anonymous. A survey shall be  
7 submitted in a manner that maintains the anonymity of the  
8 person completing the survey.

9 D. Other than employees of the board responsible  
10 for collecting and processing the survey forms and results, the  
11 computer software program information on board employees shall  
12 only be available to the board and the director for employee  
13 training and development purposes. In all other cases, the  
14 survey results, no matter where maintained, are confidential  
15 and not subject to the Inspection of Public Records Act.

16 E. The pilot program shall be conducted for the  
17 period January 1, 2012 to December 31, 2012. At the conclusion  
18 of this period, the director shall assess the program,  
19 determining whether it provided meaningful review of employees'  
20 knowledge of program matter, responsiveness and customer  
21 service to the public and whether employees were receptive to  
22 performance-improving recommendations and employee development  
23 and training programs offered in response to survey results.  
24 Based on the assessment, the director shall make a  
25 recommendation about whether the pilot program should continue

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1 for an additional period of time, should be made permanent or  
2 should be canceled. The director shall report the results of  
3 the assessment and the recommendation to the board, the  
4 legislative finance committee and an appropriate interim  
5 committee of the legislature no later than September 1, 2013."